

**Report of the Oklahoma Legal Services Planning Group
to the
Legal Services Corporation**

A Self-Evaluation in Response to Program Letter 2000-7

October 29, 2002

TABLE OF CONTENTS

INTRODUCTION

- a) To what extent has a comprehensive, integrated, client-centered legal services delivery system been achieved?**
- b) To what extent have intended outcomes of a comprehensive, integrated client-centered legal services delivery systems been achieved, including by not limited to service effectiveness/quality: efficiency: equity in terms of client access, greater involvement by members of the private bar and the legal lives of clients, and client-community empowerment?**
- c) Are the best organizational and human resource management configurations and approaches being used?**

CONCLUSION

INTRODUCTION

As a result of the merger, state planning in Oklahoma has undergone significant restructuring since the initial state plan was drafted. The overall objective of high quality legal services has remained the same. Providing high quality legal services as part of an integrated client-centered comprehensive delivery system, still remains very much a goal in Oklahoma.

The challenge of providing access to civil legal justice requires constant monitoring. In Oklahoma there are two large urban areas which comprise more than one-third of the entire eligible client population. Spread out over a large land mass is the remainder of the client base in small towns and rural areas. Thirty-nine Indian tribes are headquartered in Oklahoma, mostly in rural towns and locations. To provide equal access to the geographically-diverse groups, substantial resources are involved. These are resources in addition to those needed to overcome barriers of language and ethnicity. Oklahoma is the eighth poorest state in the nation. In addition to poverty, the lack of private resources to help support a comprehensive integrated legal service delivery system demands development. Fund-raising efforts have been undertaken to bring together the resources necessary to achieve our goals. Every segment of the delivery system is stressed and underfunded. Staff salaries are both below regional and national averages. Technology resources are scarce and dated at Legal Aid Services of Oklahoma, Inc. (LASO) and the overall work environment is reminiscent of the poverty in which our clients live. Given these challenges it is extremely important that planning be undertaken that is realistic in scope and optimistic in vision. As a result of the lack of adequate funding, there exists a tension between providing brief services, limited telephone advice and more comprehensive litigation services. While one may provide significantly greater reportable numbers for the number of persons serviced, the other may more significantly affect the lives of our clients. Since receiving increased funding in 2001, Oklahoma Indian Legal Services, Inc. (OILS) has upgraded its technology significantly and increased its staff levels. OILS has expended its hours for its advice hotline to operate on a daily basis. The hotline answers questions regarding legal issues arising in Indian Country within the state. It is within these contexts that state planning in Oklahoma continues to be refined.

Additionally, as a result of the merger in January of 2002, many internal concerns at LASO have had to be addressed. Current state planning activities include: development of the technology plan, development of prioritization, resource development and fund-raising and plans for greater private attorney involvement in pro-bono activities.

LASO and OILS interact often on cases and issues involving particular areas of expertise. The two programs are working together on a statewide website and technological interaction and improvement.

a) To what extent has a comprehensive, integrated, client-centered legal services delivery system been achieved:

OILS and LASO remain committed to fully developing a comprehensive, integrated, client-centered legal services delivery system in Oklahoma. In addition to the financial challenges, there is also the fact that there are very few other resources in Oklahoma providing no cost civil legal services to the poor. State planning as it was undertaken originally in Oklahoma was undertaken for two civil legal justice programs each comprising roughly one-half of the state and OILS. Besides OILS and LASO, there are few other entities that are addressing civil legal justice needs for low income citizens.

Given the complexities of the merger at LASO, more has been achieved in this area than would be first thought. As a result of the merger, integration has been simplified in areas of technology, client priorities and equal access. The creation of the Center of Litigation and Field Services within the new statewide organization has helped greatly toward building a comprehensive, integrated, client-centered legal services delivery system. Within the last eight months every field office of LASO has been visited by senior management. The purpose of these office visits was for a comprehensive review of all service delivery components including individual advocate case files. As a result of this procedure, LASO is able to determine the strengths and the weaknesses in the program and what needs were not being met. Additionally, these visits included communications with other stakeholders in the communities. The data from this process is being used to create a single delivery system throughout the state of Oklahoma. This data will be used in creating priorities, training of staff, identity of unmet needs and interactions with other stakeholders in the community. LASO is in the process of designing and developing a single delivery system that incorporates the needs of the various diverse client populations throughout the state.

Once the priorities are finalized and the areas of need identified the entire focus of client service delivery will be changed. The change in the program will be focused upon meeting the priorities established both internally and externally. As a result of the single, unified assessment of client needs and priorities the staff and community stakeholders alike will truly be part of a client-centered, comprehensive, integrated, delivery system. The most important aspects of reaching this goal have been achieved. More key constituents have been involved and have a buy in. Examples of movement in this direction include a coalition of aging agencies in the state of Oklahoma dedicating their lobbying day at the State Capitol for greater financial resources to LASO and OILS. This was a result of a collaborative process where one of our stakeholders identified essential needs that only LASO and OILS can provide going unmet because of lack of funding. Another example included an inclusive process which developed into an ambitious technology plan that would allow for a centralized system for access to legal services through a statewide call center. This process included numerous meetings and communications with other stakeholders within the community. LASO and OILS fully reviewed previous planning to assure that this technology plan would result in a comprehensive, integrated, client-centered legal services delivery system. Lack of funding has for the moment delayed the implementation of the technology plan on a statewide basis. However, efforts to finance the call center have been reviewed. Additional personnel have been added to the intake system for the Tulsa field office which will result in five additional counties in northeast Oklahoma being part of a central regional intake system. Private funding sources have been contacted to allow LASO to redirect already pledged grant dollars for the purchase of technology equipment. Additional grants have been written for hotlines for domestic violence and Agency on Aging eligible clients. These

efforts demonstrate a commitment to enhanced client services through the use of technology. OILS has received a significant domestic violence grant to assist victims who are tribal members.

Additionally, the development of a statewide web site and the placement of an ICAN kiosk in the Tulsa County Courthouse are two more examples of initiatives that are currently underway. By the use of web site IT, LASO and OILS will provide resources to pro bono attorneys as well as having space dedicated to all of our community partners to enable the sharing of resources, dissemination of information and provide a forum to discuss unmet client needs. The placement of the kiosk at the Tulsa County Courthouse allows for collaboration between LASO, OILS and the private bar in meeting the unmet civil legal justice needs in the state of Oklahoma.

One of the most important issues affecting low income people within the state of Oklahoma is a lack of access to the courts. In addition to federal and state courts, over 20 tribal court systems hold jurisdiction over almost two-thirds of the state. Of course, housing, education, employment and medical issues are abundant. While the latter are certainly areas of need, it appears that there are resources of greater magnitude devoted to those issues than to the provision of legal services. In the event that one of the latter services is denied, it falls upon either LASO or OILS to champion the cause of the clients to access the benefit. There is essentially no one else in the state of Oklahoma that provides no cost legal services to the poor.

The delivery system for the most part is reliant upon telephone intake. Clients come from essentially three sources. The three sources are: self referral, private attorney referral and agency referral. With the exception of the Tulsa office area, each local LASO office establishes specific times for intakes. OILS accepts intakes at its centralized location Monday through Friday during regular office hours. At LASO, attorneys and advocates in the offices interview the clients, make a determination if they fit within the priorities, and then either provide brief services or invite the client in for further intake. This delivery system is neither comprehensive, integrated, or client-centered. That is the reason that the above-referenced technology plan is so essential to achieve the goal in this area. The vision for the delivery system incorporates the LSC standards for centralized intake systems, staffing the field offices to be in compliance with the ABA standards for providing legal aid services to the poor and the LSC performance criteria. Once again, the lack of essential resources to fully implement the plan delays LASO's achievement of the goal.

Despite limited resources, the legal services delivery system has stretched resources to provide critical legal services to migrant farm workers, Native Americans, the elderly, and the rural poor. With the merger the two largest providers of legal services to low income persons in the state of Oklahoma there has been an expansion of resources to some identified client groups. The migrant farm worker project from the LAWO continues with LASO. In addition, a venture grant has been obtained to employ a Spanish-speaking paralegal in the Tulsa office. The principal duties of the Spanish-speaking paralegal will be to translate legal documents into Spanish. As a result of the translation of numerous legal documents into Spanish the migrant farm worker project will have greater resources to reach the community it serves. Enhanced funding and stable, competent leadership with Oklahoma Indian Legal Services has greatly expanded legal services to Native Americans. OILS provides legal services in the specialized field of Indian

Law, utilizing a centralized telephone intake system with a statewide 800 number. This system can be easily integrated into the statewide intake system. When LSC increased OILS funding in 2001, OILS substantially upgraded computer equipment and technology in its office. The increase in funding has enabled OILS to hire new staff attorneys and paralegals, effectively increasing services to low-income Native Americans with issues involving federal Indian law and tribal law. OILS also has been able to increase its community education within Indian Country, expand the hours of the advice hotline, institute pro se processes in four tribal courts and increase direct representation in Indian law cases. OILS has also acquired client software that coordinates with the LASO software. OILS' program uses a centralized server to unify its client database with all offices.

The delivery of legal services to the rural poor continues to be a challenge. Reconfiguration of local offices based upon census information ensures that there will be equal access. OILS' populations have not shifted from traditional demographic areas. Close collaborative relationships with service providers to the rural poor assist in expansion of services. A great deal of need comes in the area of domestic violence. Financial resources are expanding largely in part to the excellent job done by the advocates and service providers. Oklahoma has the highest divorce rate in the nation with an extremely high domestic violence incident rate. Private grants have been used to acquire technology that is being utilized to perform intake at shelters and other offsite locations. Through the use of laptop computers and access to the Internet, service workers are able to perform a number of functions at remote locations that otherwise were not possible. The overall technology plan, once implemented, will allow a service provider and/or advocate the ability to do intake and provide services at remote locations and to check conflicts at the same time.

Other components of the delivery system include outreach projects to minority communities, legal clinics and senior citizen centers, active pro bono programs and the use of private attorney involvement funds for hiring private attorneys in the remotest rural areas. All of these components of the delivery system are geared to meet the most vulnerable and hardest to reach clients. Pro Se materials for guardianships for grandparents raising grandchildren and divorce seminars for non-battered spouses make up other important components for difficult and hard to reach clients.

The current statewide system does work to ensure the availability of equitable legal assistance capacities to clients – regardless of whom the clients are, where they reside, or the languages they speak. Reconfiguration of the staffing restructure was done to ensure equal access to clients regardless of their location within the state. All LASO offices perform some type of telephone intake as well as individual intake for their cases. Clients who are homebound or who reside in institutions are provided in person intake and services. LASO currently has on staff, 10 employees who speak foreign languages. Through collaborative efforts with other social service agencies and a professional interpretation system, LASO can provide service to any client, regardless of the language he or she speaks. LASO has 17 staffed offices strategically located throughout the state of Oklahoma to ensure local access to both rural and urban clients. The migrant farm worker project is accessible statewide. In the most remote regions in the state of Oklahoma, PAI attorneys are contracted to insure that clients have easy access to a competent attorney. A new program is also providing legal services to homeless persons in the Tulsa area.

Caseworkers visit clients at shelters and other locations which gives access to clients who otherwise would be unserved. Plans are underway to expand this service throughout the state. OILS provides access to all 39 tribes in Oklahoma and has staff members fluent in Spanish, Creek, Choctaw and Kiowa. OILS uses outreach contacts at tribal courts and tribal headquarters to provide a continued presence to the client community.

At LASO, the coming year offers some exceptional challenges in Oklahoma in continuing to provide equal access to all clients. The growing Spanish-speaking populations, as well as growing senior citizen populations, appear to be the greatest areas of challenge. At the current time, Spanish-speaking employees are being recruited actively. Additionally, strong collaborative relationships are being developed at all levels with our community partners who serve senior citizens. A senior citizen's hotline is in the planning stages. LASO's staff is being trained to a greater extent in the needs of senior citizens. OILS' client population is trending in the opposite direction, with significant population increases in children and young adults. OILS has shifted priorities to address these legal areas while maintaining a strong presence for other population groups. The LASO program will need to have an ongoing evaluation process to ensure that distinct client populations are being served adequately. The centralized intake system with highly trained staff will do much to insure equal access to diverse population groups in the future. Through the utilization of a centralized intake system, callers who are non English speaking, deaf, hard of hearing, and in the remotest part of the state will all find a system that is friendly, assessable, and treats them no differently than any other client. OILS currently utilized a centralized intake system for its client population available during all business hours.

Important steps have been taken to identify and nurture new leaders from all of legal services' constituent groups in Oklahoma, including clients. A new wind is blowing in Oklahoma in recognition of diversity and access to justice issues. From the leadership of the State Bar Association to staffing considerations of Legal Aid Services of Oklahoma, Inc., the issues of diversity, gender, race, language and ethnicity are being considered. A collaboration between LASO, OILS, the Oklahoma State Bar Association and other community partners involved in providing legal services has resulted in planning for a diversity conference as a first stage to developing a comprehensive plan to ensure that the justice community of Oklahoma reflects and serves the diversity of Oklahoma. Recognition of diversity is a long-standing value in the state of Oklahoma. Until recently, there has been no real formalization of a process to ensure the training and nurturing of new leaders. New processes are currently being developed and the programs are very much involved in those processes. The leadership of the Oklahoma Bar Association is committed to the organized Bar being sensitive and heavily involved in this area. At the suggestion of the leadership of LASO and OILS, the Oklahoma Bar Association has created a standing committee for "Access to Justice".

It is envisioned that the next step to achieve a client-centered, integrated, and comprehensive delivery systems within the state of Oklahoma will be the realization of centralized intake system. Clients have been involved in this process in the state planning. Clients will continue to be involved in this process through the utilization of focus groups and client surveys in determination of priorities.

Another step to achieve a client-centered, integrated, and comprehensive delivery system will be

to ensure that needs assessments and our priorities are reflective of the needs of the community. These processes will be intensively client-centered. The use of focus groups, client surveys, exit evaluations and individual case files will be utilized to determine the needs and to measure outcomes of both programs. Also, LASO is scheduled to undertake intensive training in outcome measurements, including the development of training processes to ascertain if the outcome measurements are valid. Beyond validation of outcomes there will be the development of an organizational long range plan with specific objectives, goals and milestones.

The greatest obstacles in achieving a statewide integrated, client-centered delivery system are financial resources and stability of operations. As with all legal services providers there is a scarcity of resources. Oklahoma is poor state that does not have sufficient outside funding sources to substantially change the structure of the current legal service delivery system for low-income persons.

The second challenge is a byproduct of the first. Due to the “yo-yo” effect of funding, significant resources are spent on reacting to external changes. The pending loss of over \$400,000 in LSC funding has necessitated much time and energy being expended on realigning the infrastructure at LASO. Client services under the existing model are good, considering the dynamics. Still, there is a vision in Oklahoma to build a better system for the sake of the clients. As a result of the LASO merger, a new Center for Marketing and Development was created. Two full time staff members have been assigned the task of promoting LASO and developing resources. Additionally, an outside consultant has been hired to assist with fund-raising. Also, a plan has been developed to continually seek additional funding from the Oklahoma Legislature and to involve all staff members in fund-raising in some way. Stability in operations is being achieved. New statewide policies and procedures are being developed for of operational phases including, but not limited to, client service delivery, personnel, purchasing, financial, investing, client complaints, and resource allocations. It is anticipated that all of these policies and procedures will be in place by January 1, 2003. Client and staff participation is encouraged and facilitated through a number of different methods. At OILS, funding has increased but is still significantly lower than at comparative Indian Law programs. OILS has experienced significant growth and has returned to a position of prominence within the Indian Law community. The operation is stable and is seeking additional ways to address client needs.

At LASO, it has been difficult to perform any benefit to cost analysis due to the fact that there is still not uniformity with all processes and procedures. A rough analysis does indicate a centralized intake system, common priorities, collaborative efforts with other stakeholders in the justice community will result in more clients being served than with the current resources. The analysis focused on the use of case numbers in the one office that does utilize centralized intake. These numbers demonstrated that greater number of brief services and limited advice can be given through the hotline concept. Also, it appears that advocates and caseworkers who are not spending a significant amount of time involved in intake can perform more substantial legal work. The limited data show that the division of labor can and will result in more and better services for the clients. OILS has expanded its hotline contacts and has devoted increased attorney and paralegal resources to client contact. The statewide centralized intake system has worked well for OILS. Their experience will be used to assist in the larger system.

Additional funding would help provide additional personal and technology to build the infrastructure to support a centralized intake system. Technical assistance would be helpful to develop materials and provide training to persons working in a centralized intake system. LASO currently utilizes a centralized intake system in one of its offices and the challenge in providing this service statewide produces dynamics not known to the organization.

b) To what extent have intended outcomes of a comprehensive, integrated client-centered legal services delivery systems been achieved, including by not limited to service effectiveness/quality: efficiency: equity in terms of client access, greater involvement by members of the private bar and the legal lives of clients, and client-community empowerment?

A system of priorities has been developed that identifies areas of need as well as provides means to objectively engage limited resources. A plan is underway to develop a new set of priorities based on a number of factors. The factors will include needs assessments, client surveys, staff input, and discussion and approval from corporate governance. This process will also utilize information gathered from community partners and other persons in the justice community in the state of Oklahoma. The strategy is to develop an action plan for client services based upon outcomes. Outcomes will be aligned to goals and objectives which are identified in the long range planning process. The long range planning process is determined to be an excellent tool to not only identify issues but also to develop a mechanism where outcomes can be measured. Outcome measurement training will be provided through the United Way and staff will receive over the course of the next year 110 hours of training in outcomes measurement. A consultant has been engaged to facilitate strategic planning for LASO.

It is difficult to quantify if legal services delivery has been expanded in coordination with other providers throughout the state. Essentially, other than OILS there is no other legal service provider in the state of Oklahoma with which to coordinate. The two programs do an excellent job of coordinating and insuring that there is not a duplication of services. It is anticipated that with the centralized intake system and coordination of resources with non-legal service providers, such as domestic abuse shelters, there will be expanded services and access. An example of how this currently has been successful is the ability through technology to do on site intakes at various shelters. The positive relationships between LASO and the various shelters across the state are indicative of a good client service. The merging of LAWO and LSEO will continue to improve the quality of legal services. At LASO, systematic office review procedures have been put in place and every client advocate has been interviewed and his or her case load reviewed. As a result of this process, the Center for Litigation and Field Services has done an evaluation of the entire program. Strengths and weaknesses have been determined and corrective action plans are being implemented. A comprehensive set of policies to ensure that the best practices are being followed is being implemented.

During the past four years LAWO and LSEO individually, and collectively since the merger, have strived to increase access to all low-income clients. Bilingual staff numbers have increased,

several documents have been translated to foreign languages, interpretation services have been contracted and electronic communication devices for the deaf have been put in place. A strong commitment exists for the program to reflect the diversity of the community it serves. Current reconfiguration of field offices services areas should enhance access to all low income persons. Rural areas of the state do suffer from a disproportionate lack of pro bono attorneys. In each of the urban offices there is a full-time pro bono coordinator. There is currently a plan in place to utilize the judiciary of the state of Oklahoma to encourage rural lawyers to be more actively involved in local pro bono efforts. Successful plans from other states have been studied. The Office of the Administrator of the Courts and the Chair of the State's Judicial Conference signaled a strong desire to assist in this effort. Our strategy is to develop pro bono panels for rural areas of the state, facilitate active participation of the local judiciary and coordination of the pro bono efforts on a statewide basis. OILS works with LASO and tribes to provide increased services to the client community as well as expand its fledgling pro bono program.

The legal services delivery system currently in place at LASO operates fairly efficiency. Greater efficiency could be achieved by specialization. In larger urban offices attorneys do specialize in areas of domestic relations, housing and consumer affairs. This allows greater efficiencies and enhanced client services. Utilization of a central intake system would overall improve efficiencies throughout the programs. Separation of intake for more substantive client services would allow more clients to be served and would free attorneys from doing intake work that could be performed by non attorneys. There are no areas of duplication.

The system has expanded the way it involves private lawyers in the delivery of essential legal services to low income persons. Through the use of pro bono coordinators, CLE events, providing forms and other documentation to private attorneys, more lawyers are now involved in providing essential services to low income persons. The system effectively and efficiently uses the private bar. Through the use of two full-time pro bono coordinators, cases can be quickly assigned to competent counsel. Specialized staff with the familiarity to the legal community results in the right cases being sent to the right people. Fund-raising efforts, public speaking engagements, service on bar committees, and a number of other contacts to the community at large has resulted in more private attorneys being involved in services to low income persons. With the creation of a Marketing and Development Center it is anticipated that proper message development will result in expanded involvement of private lawyers in the delivery of the central services to low income persons.

c) Are the best organizational and human resource management configurations and approaches being used?

In the state of Oklahoma at the current time there are two LCS funded programs. LASO provides legal services to low income persons in all 77 counties of the state. OILS provides services to eligible clients concerning Native American legal issues. OILS has its own Board of Directors and receives its funding from a grant from the Legal Services Corporation. For the year 2002, LASO had a budget of \$7 million. Approximately \$4.5 million of the current budget was provided by a grant from the Legal Services Corporation. Additionally, 8% of the funding comes from a grant from the State of Oklahoma, and the remainder comes from funding sources

such as United Way, private foundations and donations from the community. LASO currently has 17 field offices with 58 full time and 15 part time attorneys. Also, the program utilizes 20 full time paralegals and 41 support staff members. LASO has a board of directors which has 27 board members, 9 of which are clients and the remainder are attorneys. All of the board members are selected by client or attorney/bar association groups. OILS received \$741,501 from LSC, \$72,000 from a state grant and \$320,000 in Violence Against Women Act (VAWA) funding.

As a result of the merger of LSEO and LAWO, an entirely new organizational structure has been developed. The organizational structure encompasses five centers concentrating on specific areas of responsibility. The Center for Client Services and Field Operations focuses mainly on the direct delivery of legal services to clients. The Center for Operations focuses on personnel and fixed asset issues. The Center for Marketing and Development focuses on enhancing community exposure and fund-raising. The Center for Finance is responsible for accounting, auditing and budgeting. The Center for Information Services is responsible for technology and internal communications infrastructures. As a result of this configuration there are no duplications in the services. This configuration eliminated duplications from when there were two separate and distinct organizations. One area in which there may be duplications and inefficiencies is in the case management system. This is due to the lack of a centralized intake system and lack of a wide area network. Information has to be manually extracted from each of the field offices and manually entered into the system. There are still two different systems in operations. Plans have been finalized to integrate all the client service codes in for the Clients 2000 system. As a result of the merger on January 1, 2002, service delivery systems/mechanisms/initiatives have been put into place affecting client services. An organizational structure focused on client-centered delivery systems has been developed. As a result of the new organizational system, new systems have been put in place to review, examine, investigate, and evaluate all client services. Additionally, since 1998 the concept of a common technology plan and centralized client intake has been integrated into the culture in Oklahoma. The fact that financial resources currently are not available to make this a reality does not lessen the fact that this is very much a goal in the state of Oklahoma. As previously stated, initiatives are currently underway to identify private funding sources to create the infrastructure to support the centralized intake system. Additionally, enhanced pro bono services, the creation of pro se documents, pro se clinics and other private bar involvement initiatives are expanding client services.

The realization that the client base in the state of Oklahoma is becoming more diverse has led to the creation of a service delivery system sensitive to clients that must overcome barriers to have access to justice. Sensitivity to language issues, mental and physical disabilities, and cultural issues are incorporated into the service delivery systems. Saturday legal clinics allowing for in person services to low-income persons who work during the week have been successfully implemented. The introduction of the kiosk at the Tulsa County Courthouse will be implemented in the spring of 2003. This will give us an opportunity to see if this can be a mechanism to be utilized in other locations in the state. Also, since 1998 a homeless project has been implemented allowing homeless persons to have access to legal services with the goal to provide permanent housing. It is a goal for this to become a statewide project in the future.

CONCLUSION

The goal remains constant in the state of Oklahoma to provide excellence in advocacy and high quality legal assistance in all facets. There is a commitment to zealous and competent representation to the client populations we serve. Challenges in funding somewhat hamper the process. Additionally, the merger of the two larger programs in the state of Oklahoma has enhanced the development of a client-centered comprehensive, integrated delivery system. Since the merger there has been an intense investigation in how to best utilize resources and to coordinate services with the other legal services in the state of Oklahoma. It is anticipated that enhanced resource development will begin to allow greater implementation of the goals of the state plan.